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DIVISION OF PROFESSIONAL REGULATION

PUBLIC MEETING NOTICE:	BOARD OF NURSING Meeting Minutes
DATE AND TIME:	Wednesday, October 9, 2013 at 9:00 a.m.
PLACE:	Cannon Building, Second Floor Conference Room A 861 Silver Lake Blvd., Dover, DE 19904
Minutes Approved:	November 13, 2013

MEMBERS PRESENT

Robert Contino, RN, President, Nurse Education Member
Pamela Tyranski, Vice-President, RN Member
Harland Sanders, Jr., Public Member
Dianne Halpern, RN Member
Jenifer Duncan, Public Member
Victoria Udealer, RN Member
Madelyn Nellius, Public Member
David Salati, RN Member
Tracy Littleton, LPN Member
Mary Lomax, Public Member
Kathy Bradley, LPN Member
Lyron Deputy, RN Member

DIVISION STAFF/DEPUTY ATTORNEY GENERAL PRESENT

Pamela Zickafoose, Executive Director
Sheryl Paquette, Administrative Specialist III
Patty Davis-Oliva, Deputy Attorney General

MEMBERS ABSENT

Delphos Price, APN Member

ALSO PRESENT

Lorena Hartnett, Wilcox and Fetzer
Carly Hampton
Carol Sando
Karen Rello
Barbara J. Robinson
Heather Pardee
Megan Sirkis
Shannon Johnson
Lisa Schieffert
Tamala Paxton
Connie Bushey
Melissa Penuel
Roberta Jeanlouis

Board of Nursing Meeting Minutes
October 9, 2013

Christy Lofland
Lonella Sample
Kwanda Knight
Dale Kaplan
Joseph H. Autry, M.D.
Christa Lee, Reliant Behavioral Health
Valerie Bica
Jacob E. Harvey

Dr. Contino called the meeting to order at 9:06 a.m. The Board introduced themselves to the public. Dr. Contino welcomed the new members to the Board.

REVIEW OF MINUTES (September 11, 2013)

The Board reviewed the minutes of the September 11, 2013 meeting. Mr. Deputy made a motion, seconded by Ms. Bradley, to approve the minutes as corrected. By majority vote, the motion carried, with Ms. Tyranski, Mr. Sanders, Ms. Udealer and Ms. Duncan abstaining.

ADOPTION OF THE AMENDED AGENDA

Ms. Tyranski made a motion, seconded by Dr. Lomax, to adopt the agenda. By unanimous vote, the motion carried.

ACTIVITIES REPORT

Dr. Zickafoose reported the number and types of active licenses as of September 10, 2013.

Total Active Licenses = 19,447

RN = 15,044

LPN = 3151

APN = 1252

Total permits = 25

UNFINISHED BUSINESS

None

COMMITTEE REPORTS

APN Committee – Dr. Zickafoose reported the committee met on September 30th. She said the 4th edition of the APN newsletter had been issued by email to all AP nurses in Delaware, and is on the Board of Nursing website as well.

One of the items discussed by the committee was Midwives. Ms. Sandy Elliott, Certified Nurse Midwife in Delaware and committee member, informed the committee there was a meeting held at Providence Creek in Clayton, Delaware. Many people attended the meeting, including Representatives Michael Barbieri, and Robert Baumbach, Dr. Rattay (Public Health) who chaired the meeting, Dr. Paul from Christiana, Dr. Fann from ACOG; as well as approximately 50 home birth mothers and their families. Lay Midwives do not have formal education; they learn as apprentices. These midwives are asking legislators to remove their requirement for a collaborative agreement. Ms. Elliott shared a chart describing the differences between the three types of midwives. Dr. Zickafoose described these three types for the Board. Last year several midwives were disciplined for practicing without licenses and found guilty. HB194 was enacted into law and criminalizes midwifery without a license. They are also talking about a Board of Midwifery. The comment was made that the term 'certified professional midwife' is confusing because they are actually lay midwives.

The Committee also developed a position paper through the collaborative efforts of the Delaware Nurses Association and the Board of Nursing. The position paper was submitted to the Delaware Healthcare Commission in support of their 'Choose Health Delaware' grant dealing with implementation of the Affordable Care Act. The committee continues to meet with various stakeholders continuing their educational efforts in support of the Consensus Model. The next meeting will be on November 4, 2013. A Delaware representative from AARP is scheduled to speak at this meeting.

AWSAM Committee – Ms. Tyranski reported that the committee met on September 24th. The committee worked on section #4 of the regulatory changes and made considerable progress. In terms of reports the various LLAM entities will be required to submit to the Board of Nursing, as well as what kind of documentation they would need to keep within their organizations. She said they are working on the types of error reports that will need to be documented. Currently, the reports that have been submitted to the Board of Nursing have been reporting zero to <1% error rate, and the Committee feels that can't be the case because national error rates are significantly higher than that. The Committee is working on the requirements for capturing and documenting errors. They are also putting finishing touches on a completion letter. This is not a certification document but actually something that will show they went through a training course and passed; not only for their personnel file, but to show if they go from one entity to another they will not have to repeat the same curriculum especially if it includes the same modules that are specific to the site of services or where they are employed.

The committee also worked on policies and procedures, which is a joint effort between the curriculum sub-committee and the AWSAM committee. The AWSAM committee gave feedback to the sub-committee. The AWSAM committee has also been collaborating with Ms. Kluger who brought forward some of the Board of Pharmacy regulatory changes for input to Regulation #12 for healthcare facilities. The committee gave their input and Ms. Kluger provided subject matter expertise to the committee regarding safe medication disposal, especially for DEA controlled medications. Coming before the Pharmacy Committee is the multi-pack language for the 'pre-made' drug packages. The committee is excited that this is now going through the process.

The AWSAM committee was asked by the ANA to share its curriculum and progress, and the committee opted not to do so until the process is further along and adopted.

AWSAM Curriculum Sub-committee – Ms. Tyranski said the sub-committee met October 1st and they continued to review the core curriculum and the training manual. The AWSAM Committee had an opportunity to review a well-developed draft and said it is close to being completed. She said the committee has been able to develop the first draft of quizzes that will be used at various points in the training process. They've already developed a draft exam and are working on a competency skill checklist to be utilized in conjunction with the program. The policies and procedures were also refined with input back from the AWSAM committee. The sub-committee also is developing a framework around the instructor course. They've developed how that process is going to work. There are a number of instructors available within the state and it is assumed that some of them will be grandfathered in. The sub-committee needed to address who will become instructors, how they will become certified, and how the organizations will be able to keep track of who's new and how they will report that back to the Board.

Ms. Tyranski provided an overview of the AWSAM and LLAM processes for the new Board members. She said the Stokely Center requested that LLAM trained assisted personnel be permitted to administer medication through enteral routes through g-tubes, j-tubes, and the committee does not recommend that that be included in the LLAM program going forward. The Committee is bringing a

motion forward to the Board that they not accept that request to include the enteral route into the LLAM program. Dr. Contino said this motion is from committee; therefore, does not need to be seconded. By unanimous vote, the motion carried. Ms. Tyranski added the MAC (Medication Administration Curriculum) from the NCSBN does not allow medication aides to administer via the enteral route either.

Practice and Education Committee – Dr. Contino reported the committee reviewed and approved the Delaware State University (DSU) Interim Report which was due in mid-September. The report was accepted by majority vote, with one abstaining. He said the DSU Annual Report is due with the other schools of Nursing on December 1, 2013.

Rules and Regulations Committee – Mr. Deputy reminded the Board that at the last Board meeting Dr. Zickafoose recommended a regulation change for reinstatement and renewals to require 3.0 contact hours in the area of substance use disorder. If the Board finds this recommendation acceptable it would then be put on a Board agenda for a Rules and Regulations hearing. Ms. Davis-Oliva said this rule will apply to those that are seeking renewal, but also nurses seeking reinstatement. Ms. Halpern confirmed that this pertained to RN's as well as LPN's. Dr. Zickafoose said Section 9 of the Rules and Regulations pertains to mandatory continuing education and continuing education providers. This rule would be added under the required 30 hours for RN's and 24 hours for LPN's. At least 3.0 CE's will be in the area of substance use disorder. Because the motion came from the Committee, there was no need for it to be seconded. By unanimous vote, the motion passed.

PRESIDENT'S REPORT

Dr. Contino said he did not have a report; however, he said he received a note from former President, Ms. Evelyn Nicholson that he read to the Board. In her note, Ms. Nicholson thanked the Board for their kind words and said she will miss everyone. Dr. Contino said he will miss her and that he appreciated the service she gave to the State of Delaware and especially the Board of Nursing. He said he is happy to know she will be a public member on the Joint Practice Committee. Dr. Contino said she was the first public member to serve as President on the Board and did so with dignity and grace and he publicly thanked her.

Dr. Contino said that Mr. Maddex resigned after the last Board meeting and explained that he had served faithfully. He thanked him publicly for his service on the Board.

EXECUTIVE DIRECTOR'S REPORT

Dr. Zickafoose received an email from former Board President Ms. Evelyn Nicholson and read it to the Board. The email stated, in part, that Ms. Nicholson was honored to be the first public member appointed as President to the Board in over 100 years. She said her term on the Board went from September 5, 2006 to September 12, 2013. She thanked the Board and said she greatly appreciated all the support they gave her during her terms in office.

Dr. Zickafoose welcomed Ms. Victoria Udealer and Ms. Jenifer Duncan as new members to the Board of Nursing. She also welcomed Mr. Robert Powers as a new member of her staff in the Division. She explained Mr. Powers is the new Board Liaison on Team A and he will be assigned five Boards.

In May 2013, an audit was done for nursing license renewals and she said she was pleased to announce that there are only four nurses who did not meet the audit requirements. She said a second notice will be sent to them explaining what they are missing.

Notices for nursing license renewals for September went out at the end of August 2013. There were 12,807 RN's up for renewal at the end of September, and of those 10,816 renewed their licenses,

which is an 84.5% rate of renewal. Dr. Zickafoose thanked her staff for their hard work during this process. She explained that the audit process that will be done in December will be larger and said Ms. Tyranski has volunteered to help staff with the review of continuing education documents.

Dr. Zickafoose shared a copy of the New Journal of Nursing Regulations with the Board and mentioned several articles that were of particular interest.

NEW BUSINESS BEFORE THE BOARD

LICENSEE APPLICATION REVIEWS

By Examination

None

By Endorsement

Terry Hill, LPN – Mr. Hill graduated from Prism Career Institute, Cherry Hill, NJ in November 2011. His CBC showed Retail Theft on 10/9/87 (Rule 15.3.16). Mr. Hill answered question #23 with a “no.” His letter of explanation stated that he was told when the incident took place that if he was not involved in any other criminal activity for the next six months the charges would be removed. Along with his letter of explanation, disposition paperwork and one positive letter of reference were submitted. Mr. Salati made a motion, seconded by Mr. Deputy, to grant a waiver to Mr. Hill for licensure. By unanimous vote, the motion passed.

Carly Hampton, RN – Ms. Hampton graduated from Gloucester County College, Sewell, NJ in June 2002 and was originally licensed in NJ in May 2004. She previously held licenses in NJ, NY, and PA. Her PA license is active until 10/31/13. She applied for a Delaware RN license in 9/2012 and received a Temporary permit that was active from October 2012 until January 2013. Ms. Hampton was employed at Christiana Care as an RN from October 2012 until October 2013. She came into the DPR office last week and another temporary permit was issued by staff. Dr. Zickafoose was contacted on 10/8/13 by Christiana Care who questioned why the temporary permit was issued. Upon further investigation, Ms. Hampton practiced at CCHS for the past year without a license and she inaccurately answered question #21 stating she was an LPN and had completed 24 hours of CE. No CE was listed under question #22. Ms. Hampton also claimed to office staff she was “starting” at CCHS on Monday October 7, 2013 when she had worked there for the past year. CCHS placed her on administrative leave and DPR suspended the temporary permit. Mr. Deputy motioned to propose to deny licensure with the right to a hearing, seconded by Ms. Tyranski. By unanimous vote, the motion carried.

By Reinstatement

None

Advanced Practice Nurse

None

Renewal

None

COMPLAINT ASSIGNMENTS/ASSIGNED BOARD CONTACT PERSON

Dr. Contino explained the complaint process to the new Board members. Dr. Zickafoose said she reported last month that the Division was no longer going to assign complaints; however, she has been told that for the majority of nursing complaints a Board member will still need to be contacted, therefore, it has been decided that nursing complaints will continue to be assigned at this point. Only the

professional members of the Board will be assigned complaints. Ms. Davis-Oliva stated the majority of the nursing complaints involve standards of care determinations so most will be assigned to nurse members. She added the prosecuting DAGs need a contact to assist with decisions in an effort to decrease the backlog so please be available to the DAGs when they contact the board members. Dr. Lomax questioned why they were no longer getting a copy of the complaint because it was helpful to have that information and some only share partial information. Ms. Tyranski commented what is shared varies with the DAGs. Ms. Halpern reminded the board she requested guidelines for sanctions and Ms. Davis-Oliva stated she planned to work on this project in the future. She also stated since we now have the hearing officer process, the DAGs don't get to hear the board members deliberate and that was very educational for new DAGs. Dr. Contino reiterated the request to be responsive to the DAGs and investigators.

Ms. Halpern made a motion, seconded by Ms. Bradley, to ratify the following complaint assignments given to the respective Board contact person. By unanimous vote, the motion passed.

11-76-13 (Lomax)	11-77-13 (Nellius)	11-78-13 (Salati)	11-80-13 (Littleton)
11-81-13 (Price)	11-82-13 (Tyranski)	11-83-13 (Deputy)	11-84-13 (Price)
11-85-13 (Littleton)	11-86-13 (Nellius)	11-87-13 (Sanders)	11-88-12 (Lomax)
11-89-13 (Littleton)	11-90-13 (Deputy)	11-91-13 (Nellius)	11-92-13 (Tyranski)
11-93-13 (Price)	11-94-13 (Lomax)	11-95-13 (Halpern)	
11-102-12 (reassigned to Price)			

CLOSED COMPLAINTS

Closed complaints do not need a vote; they are for information only for the record.

Dismissed by the Attorney General's Office

11-21-12 11-08-13

Closed Investigations by the Division of Professional Regulation

11-89-12 11-90-12 11-93-12 11-94-12 11-97-12 11-61-13

The Board took a recess from 10:25 a.m. until 10:30 a.m.

HEARINGS/CONSENT AGREEMENTS – RATIFICATION & SIGNATURE

Consent Agreement(s)

Michelle Harrison, LPN – Board members reviewed the Consent Agreement and Ms. Davis-Oliva gave a synopsis of it. The Consent Agreement was presented to the Board previously with a 90-day term of probation and no CE. It was reworked and the terms now state a 180-day term of probation, along with 6 contact hours in documentation and 6 contact hours in medication administration. Mr. Deputy made a motion, seconded by Ms. Nellius, to accept the Consent Agreement. By unanimous vote, the motion carried.

Paul Walker, RN – Board members reviewed the Consent Agreement and Ms. Davis-Oliva gave a synopsis of it. She reminded the Board an emergency suspension meeting was held on August 8, 2013 to suspend Mr. Walker's license. Ms. Halpern made a motion, seconded by Ms. Bradley, to accept the Consent Agreement. By unanimous vote, the motion carried.

Hearing Panel Findings/Decisions/Orders

None

Hearing Officer Recommendations

Maureen Szmyd, LPN – Board members reviewed the recommendation from the Hearing Officer with Ms. Davis-Oliva describing the sanctions. Ms. Davis-Oliva said during the term of suspension which is ongoing, Ms. Szmyd had not complied with any of the requirements of the prior order, and the recommended discipline now is revocation of her license. Mr. Salati asked if the Board could continue her current suspension. Ms. Davis-Oliva explained that this discipline is before the Board because Ms. Szmyd didn't follow her previous order during the required timeframe. She was then scheduled for a Rule-To-Show-Cause hearing, whereby additional discipline was indicated. Ms. Tyranski said Ms. Szmyd has not responded to any of the Board's requests and Dr. Zickafoose agreed. Ms. Nellius said the order specifies that the next sanction after suspension is revocation. Mr. Deputy made a motion, seconded by Ms. Nellius, for revocation of Ms. Szmyd's license. By majority vote, the motion carried, with Ms. Bradley abstaining and Mr. Sanders recusing.

Joseph Delia, Jr., RN – Board members reviewed the recommendation from the Hearing Officer with Ms. Davis-Oliva describing the sanctions. She said there was a prior order issued by the Board in April 2012. In that case Mr. Delia was disciplined by the State of Pennsylvania and the Delaware order signed by the Board indicated that he had to comply with his Pennsylvania order and that he had to authorize any necessary consent so Pennsylvania could actively share with Delaware the status of his compliance. Those documents were not received so that necessitated a Rule-To-Show-Cause (RTSC) hearing. At the time of the RTSC hearing, Mr. Delia gave consent to the State of Pennsylvania and to the Pennsylvania monitor who actually testified at the Delaware proceeding that Mr. Delia is in compliance with Pennsylvania's order. The recommendation of the Hearing Officer in this case is that the Board's terms and conditions of the prior order remain in effect, and any conditions or restrictions on his license do not lift until he can demonstrate that he has fully complied with Pennsylvania and returned to good standing. Mr. Salati asked if, as part of the Boards discipline, they should add that the probation can only be lifted at a hearing before the Board, or if it will automatically lift once the conditions of the order are met? Ms. Davis-Oliva said she will verify whether or not that was a condition of the April 11, 2012 order, and if it was will continue to carry through for the current order. Mr. Salati made a motion, seconded by Ms. Bradley, to accept the Hearing Officer Recommendation pending further review that Mr. Delia needs to request a hearing before the Board, as specified in the original agreement. By majority vote, the motion carried, with Ms. Halpern recusing. Mr. Salati mentioned for the record that on page 6, line 2 of the Hearing Officer recommendation Mr. Delia was listed as 'Ms.' Delia and would need correcting.

Judy Murabito, RN – Board members reviewed the recommendation from the Hearing Officer with Ms. Davis-Oliva describing the sanctions. A Rule-To-Show-Cause hearing was held for Ms. Murabito following a random CE Audit in which she only submitted 26 CEs out of the required 30. The recommended discipline is to count the 25 CEs she earned in 2013 toward the 4.0 CEs she was short. Ms. Murabito will need to earn 30 CEs for the current renewal period and she will be audited during the next renewal period. Ms. Davis-Oliva said a Letter of Reprimand was not recommended because there was no finding of fact that she falsely attested. Ms. Nellius made a motion, seconded by Ms. Bradley, to accept the Hearing Officer Recommendation. By majority vote, the motion carried, with Ms. Halpern opposed.

Rebecca Walker, RN – Board members reviewed the recommendation from the Hearing Officer with Ms. Davis-Oliva describing the sanctions. Board members discussed specifics of the case and agreed suspension was necessary. Ms. Duncan asked if Ms. Walker was receiving counseling at this time. Dr.

Contino said a requirement of the order is to have an evaluation. He suggested a one-year suspension with two-year's probation after that, as well as retaining the requirements of counseling, and other suggested stipulations. Ms. Halpern made a motion, seconded by Ms. Duncan, that Ms. Walker be suspended for one year, with two years' probation following the suspension. Additionally, Ms. Walker is to obtain 6 hours of CE with 3 in Ethics and 3 in Boundaries; and have a mental health evaluation done. The recommendation to have the suspension lifted after six months will not be included in the final order. Dr. Contino mentioned that on page 4 of the Hearing Officer Recommendation that the 3rd paragraph says that "Ms. Heinrichs is a 'licensed' CNA" and that CNA's are 'certified' not 'licensed,' so that should be changed. By majority vote, the motion carried, with Dr. Lomax abstaining, and Ms. Bradley recusing.

The Board took a lunch break from 11:50 a.m. until 12:50 p.m.

Joanna Stephens, LPN – Board members reviewed the recommendation from the Hearing Officer with Ms. Davis-Oliva describing the sanctions. The recommended discipline is a 90-day term of suspension, stayed for probation for nine months. During the time of probation Ms. Stephens will be required to earn 6.0 CEs in Nursing Ethics and/or Professional Accountability. Ms. Udealer asked for clarification about Ms. Stephens leaving the school to take a break. Ms. Davis-Oliva explained that because the school was in session, a school nurse was available for Ms. Stephens to step out. Dr. Contino said she left the student with a teaching assistant and didn't just leave the child alone. Dr. Lomax said she was accused of abandoning the student but she doesn't see it that way. Mr. Deputy made a motion, seconded by Mr. Sanders, to accept the Hearing Officer recommendation. By majority vote, the motion carried, with Dr. Lomax abstaining.

Janet McDermott, RN – Board members reviewed the recommendation from the Hearing Officer with Ms. Davis-Oliva describing the sanctions. The recommended discipline is suspension of her compact privileges for a period of six months, followed by a one-year probationary period. In order for her six-month compact suspension to be reinstated, Ms. McDermott must petition the Board for reinstatement of her privileges, and show the Board that she has completed 3.0 CEs in the subject of Dealing With Difficult Patients, 3.0 CEs in Ethics, and 3.0 CEs in Anger Management. Board members discussed increasing the lengths of her suspension and probationary period. Dr. Contino said the Board is only suspending her practice here in Delaware, but it will be up to Maryland if they wish to discipline her there. Mr. Sanders made a motion, seconded by Dr. Lomax, to suspend Ms. McDermott's license for one year and continue with two years' probation after the suspension. By unanimous vote, the motion carried, with Ms. Bradley recusing.

Ann Marie Pitcher, RN – Board members reviewed the recommendation from the Hearing Officer with Ms. Davis-Oliva describing the sanctions. A Rule-To-Show-Cause hearing was held for Ms. Pitcher following a random CE Audit in which she was to provide 30 CEs during the 2011 – 2013 timeframe. Ms. Pitcher did not supply her earned CEs, even after a second letter during the audit period reminded her to do so. She also failed to provide adequate proof of her practice hours. The recommended discipline is for her license to be suspended until such time as Ms. Pitcher can provide proof of completion of an RN refresher program (or supervised practice plan), at which time she may make a written request to the Board to lift her suspension. The 30 CEs that were supplied at the RTSC hearing will be used as 'make-up' CEs for the 2011-2013 renewal period. Ms. Halpern made a motion, seconded by Mr. Deputy, to accept the Hearing Officer Recommendation as written. By unanimous vote, the motion carried.

Denise Harper, RN – Ms. Davis-Oliva reminded the Board they saw the Hearing Officer recommendation for Ms. Harper at last month's meeting; however, Ms. Harper's exceptions were not

available for the Board to review. The Board was reminded of the recommendations and Ms. Davis-Oliva read the order that the Board had agreed to at that time. She then read the exceptions sent in by Ms. Harper, in which she stated that it would be 'difficult, if not impossible' to get monthly evaluations from employers as her order stated. Upon review, the Board felt there was no reason to make any changes to their original order. Ms. Salati made a motion, seconded by Ms. Nellius, to maintain the previous order without modification. By majority vote, the motion carried, with Mr. Sanders abstaining, and Ms. Bradley recusing.

The Board took a recess from 2:43 p.m. until 2:50 p.m.

DISCIPLINARY HEARINGS - September 11, 2013

Hearing minutes follow the regular Board minutes.

RELIANT BEHAVIORIAL HEALTH PRESENTATION (RBH) of the Delaware Professionals Health Monitoring Program (DPHMP)

Mr. Collins provided a brief introduction to the new DPHMP and introduced the RBH "partners" present and stated they are the experts in this field. He stated RBH will be conducting monitoring for impaired licensees for the Division and this program is replacing the VTO program. Ms. Kaplan stated it is key to have the team working together and committed to a safe workplace. Dr. Autry provided an overview of monitoring and explained that monitoring is different from treatment. The goals are to protect the public and improve workplace safety. RBH will monitor compliance for all participants. Mr. Collins added that new dimension to this program is that boards will be able to refer licensees into this program for monitoring. Mr. Deputy questioned about funding the program. Mr. Collins answered that DPR pays the administrative fee for each participant and the participant will continue to be responsible for the treatment and toxicology fees. Ms. Kaplan described the program in broad terms. Ms. Lee stated toxicology is the biggest component of monitoring and she described the monitoring process of calling in and being tested. Medtox labs (Labcorp) will be used for toxicology testing and a split sample is used. The projected "go-live" date is November 1, 2013.

LEGISLATIVE UPDATE

None

REVIEW OF COMPLIANCE

None

PRACTICE WITHOUT LICENSURE REVIEWS

None

PRACTICE ISSUES

None

EDUCATIONAL ISSUES

Excelsior Grandfather Request Letter – Dr. Contino explained previous communications with Excelsior and the requirement for clinical hours. He read the letter from Excelsior to the Board requesting that the Board grandfather the Excelsior students who are currently enrolled in their program. Ms. Halpern stated we had this discussion back in May and gave them extended time to complete the program and apply for licensure by exam. Mr. Deputy stated we made a decision and the students have other options, and this applies to all schools not just Excelsior. After further Board discussion, Ms. Tyranski made a motion, seconded by Mr. Deputy, to continue the deadline of January 31, 2014 given to

Excelsior as the deadline to accept graduates for licensure by exam. By majority vote, the motion carried, with Ms. Udealer abstaining.

LICENSURE ISSUES

None

NCSBN

Dr. Zickafoose said she will be attending an Executive Officers meeting in Chicago in November. She said they will be holding a forum to discuss compact and national licensure. She said Veterans organizations are in favor of national licensure.

Dr. Contino said there will be a meeting held in January 2014 with the Institute of Regulatory Excellence, as well as a Disciplinary Conference held in February 2014 for the Board's attorney, Ms. Davis-Oliva, to attend. Dr. Contino said he participated in conference calls that discussed the difficulty in the NCLEX exam. He said in April 2013 the NCLEX plan for RN's was changed and the exam was made more difficult to pass. Based on the 'LOGITS', it went from minus 0.2 to 0.00 LOGITS, which increased the difficulty. Nationally, the first portion of 2013 saw 88% test year; 83% once they passed it. Dr. Zickafoose said this is the largest increase in difficulty that has ever taken place. She said she contacted the National Council to determine when they would post the end of year numbers and was told it would be October 20th. The schools' annual reports are due December 1, 2013.

LICENSURE RATIFICATION

Mr. Sanders made a motion, seconded by Ms. Duncan, to ratify the licensee list. By unanimous vote, the motion carried. The ratification list is attached at the end of the minutes.

ELECTION OF OFFICERS

Ms. Tyranski nominated Dr. Robert Contino as President of the Board of Nursing with Ms. Nellius seconding. He was elected by acclamation. Mr. Deputy nominated Ms. Pamela Tyranski as Vice President of the Board of Nursing with Mr. Salati seconding. She accepted the nomination and won by acclamation.

PUBLIC COMMENT

Ms. Tamala Paxton said she was happy to see how the Board was addressing substance use disorder. Ms. Barbara Robinson asked the Board about security at the meetings. She said one of the students attending the meeting earlier asked her if the meeting was safe to attend. Dr. Zickafoose said an Investigator will attend any meeting where an issue of security is perceived and the Division is preparing a policy to address these concerns.

NEXT SCHEDULED MEETING

November 13, 2013 - 9:00 a.m.

861 Silver Lake Blvd., Cannon Building, Conference Room A, Dover, DE 19904.

ADJOURNMENT

The meeting adjourned at 3:13 p.m.

Respectfully Submitted,



Pamela C. Zickafoose, EdD, MSN, RN, NE-BC, CNE
Executive Director, Delaware Board of Nursing

HEARING MINUTES

HEARING – Joyce Harvey

The Delaware Board of Nursing held a hearing on September 11, 2013, at 11:00 a.m. in the Second Floor Conference Room A, Cannon Building, 861 Silver Lake Blvd., Suite 203, Dover, Delaware.

PRESENT: Robert Contino, Pamela Tyranski, Harland Sanders, Dianne Halpern, Jenifer Duncan, Victoria Udealer, Madelyn Nellius, David Salati, Tracy Littleton, Mary Lomax, Kathy Bradley, Lyron Deputy

RECUSED: None

EXCUSED: Delphos Price

PURPOSE: Propose to Deny

PRESIDING: Robert Contino, President

BOARD STAFF: Pamela Zickafoose, Executive Director
Sheryl Paquette, Administrative Specialist III

DEPUTY ATTORNEY GENERAL FOR THE BOARD: Patty Davis-Oliva, DAG

DEPUTY ATTORNEY GENERAL FOR THE STATE:

RESPONDENT: Joyce Harvey

COUNSEL FOR THE RESPONDENT: None

WITNESSES FOR THE STATE: None

WITNESSES FOR THE RESPONDENT: Valerie Bica, Jacob E. Harvey

COURT REPORTER PRESENT: Lorena Hartnett, Wilcox and Fetzer

TIME STARTED: 11:06 a.m.

The recorder took verbatim testimony. The Board members introduced themselves. Ms. Davis-Oliva described the reason for the hearing and confirmed Ms. Harvey was present. Ms. Davis-Oliva marked Ms. Harvey's complete copies of applications and supporting documents, the PTD letter, and Hearing letter sent to her as Board's Exhibit #1. Ms. Harvey was sworn in at 11:12 a.m. and waived her 20-day notice requirement for the hearing. She gave a statement into the record and was questioned by the Board. She submitted five letters of reference, and a performance review dated 7/5/2013 that Ms. Harvey said had a rating of 'excellent'. Ms. Davis-Oliva marked these documents collectively as Applicant's Exhibit #1 and the Board reviewed them. Ms. Davis-Oliva called the first witness, Ms. Valerie Bica for her testimony. Ms. Bica was sworn in at 11:32 a.m., and gave her statement. There were no questions by the Board. Ms. Davis-Oliva then called the second witness, Mr. Jacob Harvey for his testimony. Mr. Harvey was sworn in at 11:36 a.m., and gave a statement. There were no questions by the Board. The Board began deliberations at 11:41 a.m. At 11:50 a.m. Ms. Halpern made a motion, seconded by Ms. Nellius, to have Ms. Harvey's license reinstated. By unanimous vote, the motion carried. The hearing concluded at 11:50 a.m.

HEARING MINUTES

HEARING – Kwanda Knight

The Delaware Board of Nursing held a hearing on September 11, 2013, at 1:00 p.m. in the Second Floor Conference Room A, Cannon Building, 861 Silver Lake Blvd., Suite 203, Dover, Delaware.

PRESENT: Evelyn Nicholson, Robert Maddex, Dianne Halpern, Madelyn Nellius, David Salati, Tracy Littleton, Delphos Price, Mary Lomax, Kathy Bradley, Lyron Deputy

RECUSED: Robert Contino

EXCUSED: Harland Sanders, Pamela Tyranski

PURPOSE: Lift Probation

PRESIDING: Robert Contino, President

BOARD STAFF: Pamela Zickafoose, Executive Director
Sheryl Paquette, Administrative Specialist III

DEPUTY ATTORNEY GENERAL FOR THE BOARD: Patty Davis-Oliva, DAG

DEPUTY ATTORNEY GENERAL FOR THE STATE: None

RESPONDENT: Kwanda Knight

COUNSEL FOR THE RESPONDENT:

WITNESSES FOR THE STATE: None

WITNESSES FOR THE RESPONDENT: None

COURT REPORTER PRESENT: Lorena Hartnett, Wilcox and Fetzer

TIME STARTED: 1:00 p.m.

The recorder took verbatim testimony. The Board members introduced themselves. Ms. Davis-Oliva described the reason for the hearing and confirmed Ms. Knight was present. The Board received Ms. Knight's request to lift probation. Ms. Knight was sworn in at 1:05 p.m. and waived her 20-day notice requirement for the hearing. She gave a statement into the record and was questioned by the Board. Ms. Davis-Oliva called Dr. Pamela Zickafoose as a witness, and she gave her testimony. Dr. Zickafoose was sworn in at 1:07 p.m., and was questioned by the Board. Dr. Contino asked her if, to the best of her knowledge, Ms. Knight complied with her Board Order and if she had received her request to lift her probation. Dr. Zickafoose said 'yes' to both questions. The Board began deliberations at 1:09 p.m. Mr. Salati made a motion, seconded by Ms. Udealer, to lift Ms. Knight's probation at the end of the probationary term (November 19, 2013). By unanimous vote, the motion carried. The hearing concluded at 1:11 p.m.

October 2013 Licensee Listing – RN's (104)

L1-0043969	Adams, Martine G. A. Brooks	L1-0044023	Fanelli, Dana L. Gordon
L1-0043970	Loomis, Paula T.	L1-0044024	Young, Stephanie A.
L1-0043971	Masso, Annastasia K.	L1-0044025	Kittle, Martina M. Caldwell
L1-0043972	Papili, Monica J.	L1-0044026	Pitt, Aimee L.
L1-0043973	Sokolovska, Lidiya	L1-0044027	Peacock, Jill A. Scothorn
L1-0043974	Bannan, Lauren Elizabeth	L1-0044028	Harvey, Patricia M. Ryan
L1-0043975	McIntosh, Ebony D. Taylor	L1-0044029	Scott, Beverly Ann
L1-0043976	Hinkle, Anne T.	L1-0044030	Jones, Yvonne Renee Richardson
L1-0043977	Axelsson, Loretta A. Dodson	L1-0044031	Rose, Michele A. Belote
L1-0043978	Cagampan, Angelica L.	L1-0044032	Angelone, Brita M. Hanson
L1-0043979	Moore, Sherisa K.	L1-0044033	Turner, Michele L.
L1-0043980	Huynh, Charlie	L1-0044034	Leczner, Ronald E.
L1-0043981	Khoury, Jeffrey N.	L1-0044035	Jones, Elyse A.
L1-0043982	Adams, Terri L. Dluhy	L1-0044036	Cruz, Juanita M. Costas
L1-0043983	Grobecker, Theresa M.	L1-0044037	Muiruri, Stephen G.
L1-0043984	Galaburda, Shawna	L1-0044038	Mason, John Anthony
L1-0043985	Cannon, Joanne F. Guziewicz	L1-0044039	Walker, Sandra Tillman
L1-0043986	Hellriegel, Ernst P.	L1-0044040	Habermann, Barbara
L1-0043987	Kreutz, Beth A.	L1-0044041	Dych, Amanda
L1-0043988	Gehrer, Elaine M.	L1-0044042	Papadopoulos, Lisa A. Buck
L1-0043989	Kasselie, Yenneh J.	L1-0044043	Whitlock, Kathy L. Brown
L1-0043990	Lin, Wenpen P.	L1-0044044	Dawson, Jill A. Taber
L1-0043991	Hayles, Imani M.	L1-0044045	Aubin, Astrel
L1-0043992	Khodukina, Evgenia V.	L1-0044046	Boaten, Andrew P.
L1-0043993	Wescott, Joanne E.	L1-0044047	Cameron, Amanda S.
L1-0043994	Thompson, Heidi E.	L1-0044048	Graham, Chrystal L. George
L1-0043995	DeMareo, Jenna L.	L1-0044049	Randolph, Lucrecia C. Mghendi
L1-0043996	Murphy, Kathleen A. Wahl	L1-0044050	Schofield, Megan C
L1-0043997	Ortiz, Ellen Moreiko	L1-0044051	Witt, Veronica L. Poeta
L1-0043998	Fromuth, Kelly K.W.	L1-0044052	Szkolnicki, Michele A. Ott
L1-0043999	Crowder, Pamela S. Burchette	L1-0044053	Schechtman, Nancy A. Brunetz
L1-0044000	Mooney, Bethany I.	L1-0044054	Stroud, Lisa G. Porter
L1-0044001	Topilow, Alyssa J.	L1-0044055	Sisson, Karen M. Starsinic
L1-0044002	Naper, Jessica E.	L1-0044056	Barry, Shawn R.
L1-0044003	Coacher, Caitlin M.	L1-0044057	Baines, Andrea D. House
L1-0044004	Kreider, Amanda E.	L1-0044058	Layug, Karen K. Lising
L1-0044005	Roberts, Nicole D. Soulier	L1-0044059	Case, Elizabeth R.
L1-0044006	Donohue, Dawn P. Collins	L1-0044060	Cook, Pamela G.
L1-0044007	Farr, Elaine C.	L1-0044061	Thai, Jessica
L1-0044008	Holder, Danielle Marie	L1-0044062	Jones, Brandy R. Falgoust
L1-0044009	Murillo, Amor N.	L1-0044063	Holley, Amy B. Rollins
L1-0044010	Orji, Uzoamaka O.	L1-0044064	Gruss, Anne L. Milske
L1-0044011	Basquill, Kimberly K.	L1-0044065	Larkin, Kerry P.
L1-0044012	McConnell, Amanda L.	L1-0044066	Rennert, Kristine E.
L1-0044013	Ndola, Joan Mwende	L1-0044067	Kurtz, Jennifer A.
L1-0044014	Okhotnikova, Irina V.	L1-0044068	Vandermeer, Norma Alice Miner
L1-0044015	Shotwell, Amber M. Diego	L1-0044069	Ward, Julia L.
L1-0044016	O'Neal, Michelle Noga	L1-0044070	Kaufman, Jason A.

Board of Nursing Meeting Minutes
October 9, 2013

L1-0044017	Monteleone, Amy C. Cole	L1-0044071	Kibiro, Paul M.
L1-0044018	Bidoli, Michael	L1-0044072	Thomas, Edkeisha Leigh
L1-0044019	Bradley, Jennifer L. Spaid		
L1-0044020	Boykin-Castro, Azure D. Goodhart		
L1-0044021	Forman, Sheila Y. Sloan		
L1-0044022	Ferrick, Susan E. Bitzer		

October 2013 Licensee Listing – LPN's (17)

L2-0012139	Rickards-Arnett, Patricia L.
L2-0012140	Newton, Sharown D.
L2-0012141	Velasquez, Letisia M.
L2-0012142	Jalloh, Fanta
L2-0012143	Robinson, Kelli T.
L2-0012144	Jah, Hawa
L2-0012145	Gordon, Ajia C.B.
L2-0012146	Kengara, Gladys K.
L2-0012147	Davis, Deddeh W.
L2-0012148	Foxwell, Sarah L. Heald
L2-0012149	Freeman, Lorpu
L2-0012150	Clements, Lori L. Brown
L2-0012151	Muldrow, Stephanie J. Hudson
L2-0012152	Marks, Megan M. Gregory
L2-0012153	Clemons, Anita Tiana
L2-0012154	Barrett, Josephine M. Carroccio
L2-0012155	Adeyemi, Afolasade E. Koleoso

APN License Listing October 2013

Scott McMillan	CRNA
Mary D'Agostino	CRNA
Deborah Burnett-Olsen	CRNA
Dannette Mitchell	Adult Health CNS
Bobbi Atkinson	FNP
Diane Mitchell	FNP
Brita Angelone	FNP
Jacqueline Smith	FNP
Emily Robertson	Women's Health Care NP
Michele LaMarr-Suggs	Nurse Midwife
Karen Schreiber	Nurse Midwife
Sarah Knavel	Pediatric CNS

APN Prescriptive Authority for October 2013

Family Nurse Practitioner

Julia Jordon
Amanda Farina
Bobbi Atkinson
Kimberly Wash

Psychiatric/Mental Health Nurse Practitioner

Salvatore Salfi

Adult Health Clinical Nurse Specialist

Dannette Mitchell